

OGC REVIEW  
COMPLETED

Office of the General Counsel  
ATTN :  25X1A9A

Acting Chief, Transportation Division/OL

Change in Justice Department Policy of Defending Employees  
in Civil Suits Arising out of Injury in Line of Duty

REFERENCE: Memorandum from Office of General Counsel to Transportation  
Division/OL, dated 5 May 1955, subject as above.

1. The information furnished to this division by means of the referenced memorandum has presented several factors which must be considered in the operation of Agency motor vehicles, and therefore legal decisions are requested with regard to the following specific questions.

a. Would this Agency legally be within its rights to require that all drivers carry Property Damage and Public Liability Insurance?

b. Would the cost of such insurance be reimbursable and, if so, under what circumstances?

c. Would failure on the part of drivers, presently employed, to obtain such insurance constitute grounds for discharge or transfer to other duties?

2. In addition to the specific questions set forth above, it is requested that a brief resume be furnished this office of typical line-of-duty incidents in which an employee could be personally sued and not be entitled to receive legal assistance under the provisions of the Federal Tort Claims Act (60 Stat. 842, 28 U.S.C., 1291 (1946)).

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TD/P&C/JAL:eim (18 May 1955)

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LS-4405

#1100

Insurance - 2

1 February 1954

Memorandum for: DD/P/ADMIN

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Attention: Mr. [REDACTED]

From: Office of General Counsel

Subject: Indigenous Personnel - Payment of Cost of  
Insurance for [REDACTED]

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1. Reference is made to OSMW-373 dated 19 May 1953 raising the question of local requirement for payment of accident insurance for an indigenous chauffeur and the justification in local law and custom set forth in OSMA-570 dated 19 June 1953.

2. In accordance with the justification set forth in OSMA-570, this office perceives no legal objection to allowance of the item in the station accounting in accordance with the provisions of section [REDACTED]

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OGC/JGO:imm

cc: DD/P/ADMIN

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cc: Finance Division Attn: Mr. [REDACTED]

cc: OGC Chrono

cc: OGC Subject ✓

cc: OGC Legal

cc: OGC Vital

cc: OGC Signer

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